

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4165 OF 2006

Kalyan Dombivli Municipal Corporation & Ors. ... Petitioners
V/s.
Akhil Bhartiya Safai Mazdoor Congress ... Respondent
Ms.Saroj Shinale for Petitioners
Mr.Y.M. Pendse for Respondent

CORAM: SMT.NISHITA MHATRE, J.
DATED: AUGUST 22, 2007

P.C.:

. The petitioners have challenged the order dated 21.2.2006 passed by the Industrial Court. By this order, the Industrial Court had held that the petitioners had committed an unfair labour practice under Item 9 of Schedule IV of the MRTU & PULP Act. The petitioners were directed to pay difference in wages payable to a Clerk and a Mazdoor. Although the respondent workmen were employed as Safai Kamgar, they were made to work as clerks from 16.5.1994. The Industrial Court has also directed the petitioners to consider the claim of the respondent workmen to the post of Clerk if they are found eligible, in case of availability of such posts.

2. In my view, there is no infirmity in the order passed by the Industrial Court.

3. Writ Petition rejected.